PROCEEDINGS OF THE COMMON COUNCIL
IN Regular SESSION
Tuesday, June 12, 1973

CITY OF FORT WAYNE, INDIANA
Journal of the Proceedings
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening, June 12, A.D., 1973 in Regular Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman, Clerk, at the desk, present the following members viz:

Burns ✓, Hinga ✓, Kruse ✓, Nuckols ✓, Moses ✓,
Donald Schmidt ✓, Vivian Schmidt ✓, Steir ✓, Talarico ✓.

Absent _____: Councilman _____.

The invocation was given by Reverend George Jones - Saint Matthews African Methodist Church

Received report from the City Controller for the month of _____, 197____.
Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last regular May 22, 1973 session having been delivered to the Council, were, on motion, approved as published.

MADE A MATTER OF RECORD
DATE_____ CHARLES W. WESTERMAN, CITY CLERK

O heavenly Father, hear us as we pray for our brothers and sisters of mankind. Direct, support, and bless Thy universal church. Especially we ask Thy help for Thy church in this land. Upon Ministers, and people, send Thy Spirit of Wisdom and grace, that Thy Kingdom on earth may be enlarged. Uphold all those whose task it is to serve the community, the nation, and the world. We pray for Rulers, Presidents, Councilman, statesmen, seeking to guide the nations in the ways of peace stand in need of Thy help, O God. Be Thou the Companion of those who have in their hearts a passion for social justice: Who toil that men and women and children may be protected against poverty, disease, fear, and exploitation by unscrupulous persons. Deliver them from bitterness of spirit and wildness of speech.

To our Lawmakers and Lawyers grant knowledge, fairness and mercy. Help those who care for the sick to see, in those whom they tend, not cases but persons, give them patience with the folies and fears of those who come to them for help, and grant them skill of hand, sympathy of heart. Especially bless those who work with persons whose minds are clouded with sickness or tortured dy dread or depression, that they may possess the patience and love of trust.

Give us the faith to live by through Jesus Christ our Lord. Amen.

MADE A MATTER OF RECORD
DATE 6/12/23 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

office of the mayor

COMMUNICATION FROM THE MAYOR

May 24, 1973
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, May 24, 1973, I have approved the following ordinances passed by the Common Council at its regular meeting on May 22, 1973.

(Bill No. S-73-05-08)
SPECIAL ORDINANCE NO. S-60-73

AN ORDINANCE approving a contract between International Harvester Company and the City of Fort Wayne by and through its Department of Public Safety for fire protection.

(Bill No. S-73-05-09)
(Amended)
SPECIAL ORDINANCE NO. S-61-73

A SPECIAL ORDINANCE approving the creation of the position of Superintendant of the Communications Division of the Department of Public Safety and fixing the salary for such position for the year 1973.

(Bill No. S-73-05-10)
SPECIAL ORDINANCE NO. S-62-73

AN ORDINANCE approving a certain bid document with HEFNER CHEVROLET, INC. for four (4) station wagons, police package; and with ALLEN COUNTY MOTORS, INC. for one (1) ½ ton Wide-Side Pick up Truck.

(Bill No. S-73-05-11)
(Amended)
SPECIAL ORDINANCE NO. S-63-73

A SPECIAL ORDINANCE approving the creation of Chief of Fire Combat with the Fire Department and amending Special Ordinance No. S-61-72 by fixing the salary for such position for the year 1973.

(Bill No. S-73-05-12)
SPECIAL ORDINANCE NO. S-64-73

AN ORDINANCE approving a contract between ZOLLNER CORPORATION and the City of Fort Wayne by and through its Department of Public Safety for fire protection.

MADE A MATTER OF RECORD
DATE 6/11/73 CHARLES W. WESTERMAN, CITY CLERK

(Bill No. S-73-05-14)
SPECIAL ORDINANCE NO. S-66-73

AN ORDINANCE amending Chapter 29, Section 18 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 as amended by Special Ordinance S-409-70 and concerning taxicabs.

(Bill No. R-73-05-16)
RESOLUTION NO. R-28-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car #2.

(Bill No. R-73-05-17)
RESOLUTION NO. R-29-73

A RESOLUTION authorizing payment for repairs to Squad Car #6.

(Bill No. R-73-05-18)
RESOLUTION NO. R-30-73

A RESOLUTION authorizing payment for repairs to Building Department Vehicle #310.

(Bill No. R-73-05-19)
RESOLUTION NO. R-31-73

A RESOLUTION authorizing payment for repairs to Police vehicle #2.

(Bill No. G-73-05-15)
GENERAL ORDINANCE NO. G-10-73

AN ORDINANCE amending the Electrical Code of the City of Fort Wayne, Indiana, Chapter 38 of the Municipal Code, by amending Sections 12, 13, 14, 15. 16, 17, 19, 20, 21, 22, 26, 29, 30, 31, 36, and 40 thereof.

(Bill No. G-73-05-24)
GENERAL ORDINANCE NO. G-11-73

AN ORDINANCE repealing Special Ordinance No. S-242 approved March 25, 1958, by the Common Council of the City of Fort Wayne, Indiana, which ordinance ratified and approved a certain contract and agreement made and entered into by and between the City of Fort Wayne, Indiana, by and through its Board of Public Works, and S. F. Bowser and Company, Inc. of the City of Fort Wayne, Indiana.

(Bill No. R-73-05-25)
RESOLUTION NO. R-32-73

A RESOLUTION confirming an Approval Order of the Fort Wayne City Plan Commission concerning the Amendment of the Hanna-Creighton Urban Renewal Project I, IND. R-51 proposed by the Fort Wayne Redevelopment Commission and Confirming the Declaratory Resolution - Amending the Urban Renewal Plan for Hanna-Creighton Urban Renewal Project I, IND. #-51 of the Fort Wayne Redevelopment Commission.

(Bill No. S-73-05-13)
SPECIAL ORDINANCE NO. S-65-73

AN ORDINANCE approving a contract with CONRAD ERECTION & SUPPLY and HIPSKIND ASPHALT CORP. to cover the cost of emergency repairs to the Lafayette Street Underpass.

Respectfully yours,

Ivan A. Lebamoff
Mayor

THE CITY OF FORT WAYNE

office of city plan commission

May 23, 1973

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-03-09

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
23rd day of May, 1973.

Gretchen Wiegel

Gretchen Wiegel
Secretary

MADE A MATTER OF RECORD
DATE 6/12/73 CHARLES W. WESTERMAN, CITY CLERK

City Plan Commission
City-County Building
One Main Street
Fort Wayne, Indiana

May 23, 1973

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held May 21, 1973. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-73-03-09

   a. Intended Use: Sizzler Steak House

   b. Plan Commission Recommendation: DO NOT PASS

      This ordinance received a Do Not Pass recommendation for the following reasons:

      (1) The "B3A" Zoning was not compatible with either zoning or existing uses of the area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Richard S. Wanush (PR)

Richard S. Wanush
Senior Planner

RSW:pr
ATT.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 13, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-03-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 14, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

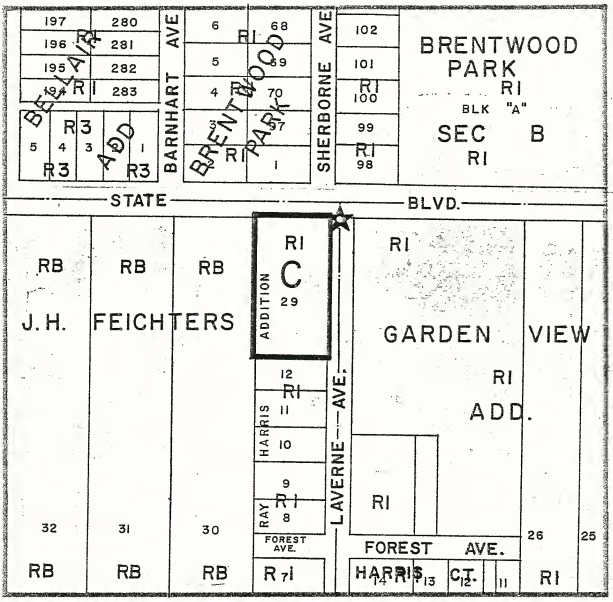
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 21, 1973.

Certified and signed this
23rd day of May, 1973.

Gretchen Wiegel

Gretchen Wiegel
Secretary



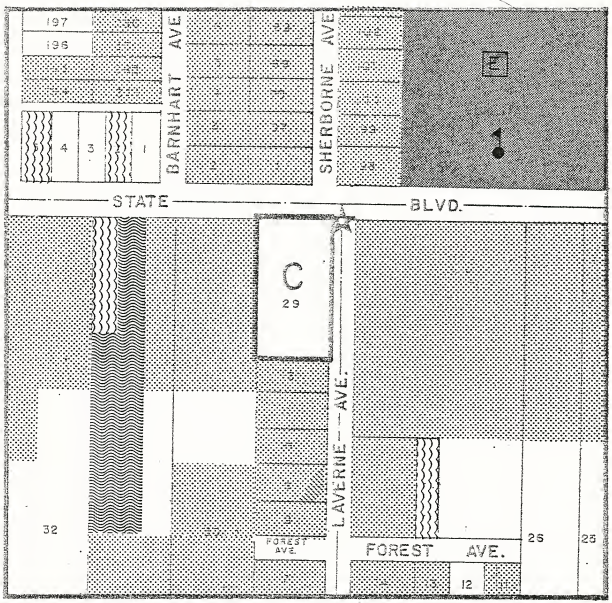
C CHANGE FROM RI TO B3A

Approximately 147 feet X 279 feet, Part of Lot # 29, Except the South 1,025 feet, in J. H. Feichter Gardenview Addition, Fort Wayne, Allen County, St. Joseph Township, Indiana

Z-73-0309

PAGE NO. F7, F9.

DATE: 2-16-73



EXISTING LAND USE MAP

EDUCATIONAL —

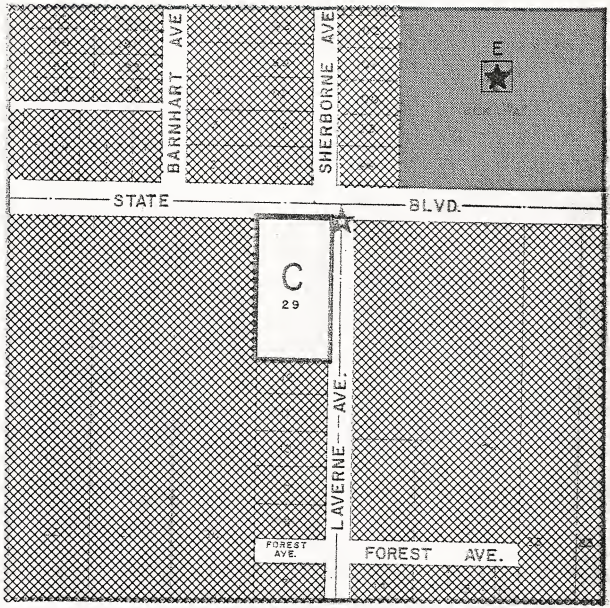
RESIDENTIAL —

COMMERCIAL —

INDUSTRIAL —

Z-73-03-09

DATE: 2-16-73



PROPOSED LAND USE MAP

N

High Density Residential —

Public & Semi Public —

Z-73-03-09

THE CITY OF FORT WAYNE

office of city plan commission

May 23, 1973

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto are the recommendations of the City Plan Commission on two (2) ordinances concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinances are designated as:

Bill No. Z-73-03-07
Bill No. Z-73-03-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and Signed this
23rd day of May, 1973.

Gretchen Wiegel

Gretchen Wiegel
Secretary

MADE A MATTER OF RECORD
DATE 6/12/73 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

May 23, 1973

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held May 21, 1973. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-73-03-07

   a. Intended Use: Beauty shop

   b. Plan Commission Recommendation: DO NOT PASS

      This ordinance received a DO NOT PASS recommendation for the following reasons:

      1) The change in the zoning classification from residential to commercial would constitute spot zoning.

      2) This proposed change is in conflict w ith the Adopted Master Plan which is residential.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted

CITY PLAN COMMISSION

Richard Wanush (pr)

Richard S. Wanush
Senior Planner

RSW:pr
Att.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 13, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-03-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 14, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

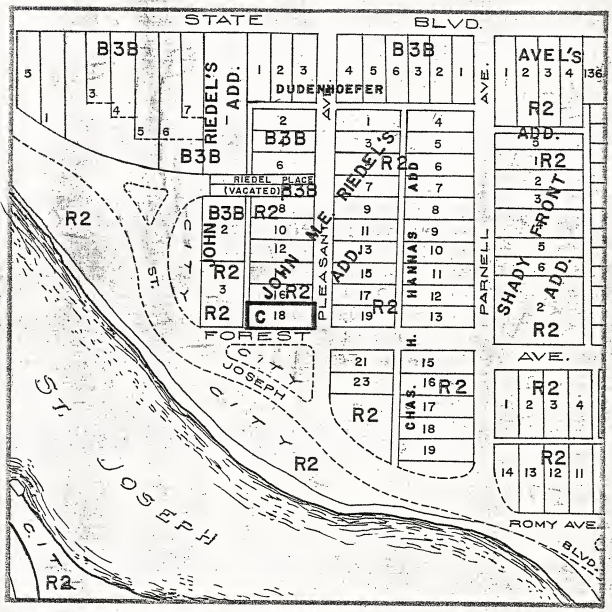
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 21, 1973.

Certified and signed this
23rd day of May, 1973.

Gretchen Wiegel

Gretchen Wiegel
Secretary

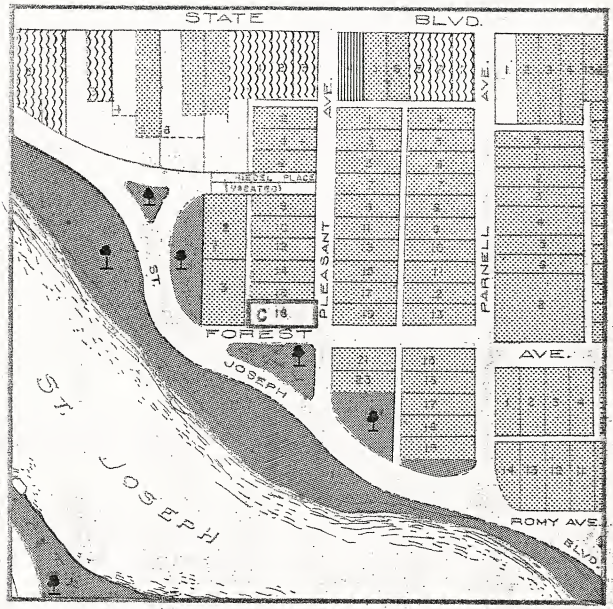


C CHANGE FROM R2 TO BIA

Lot # 189in John M. E. Riedel's Addition, commonly known as 545 Forest Ave.

2-73-03-07

DATE: 2-21-73



EXISTING LAND USE MAP

RESIDENTIAL —

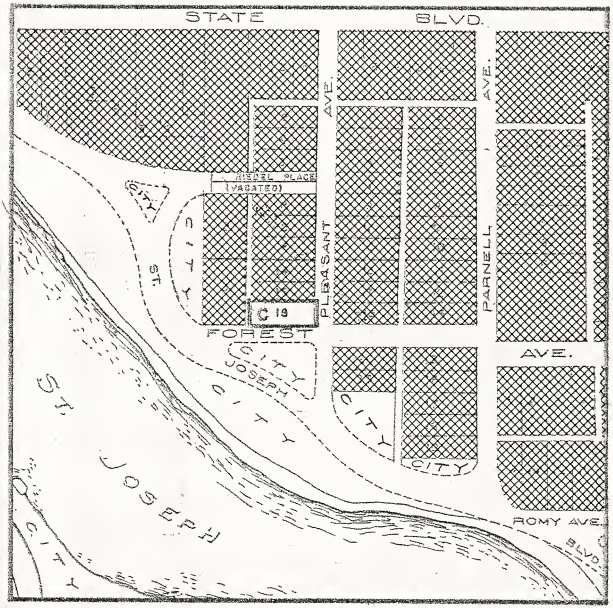
COMMERCIAL —

RECREATIONAL —

INDUSTRIAL —

Z-73-03-07

DATE: 2-21-73



PROPOSED LAND USE MAP

High Density Residential

CITY - City Owned Property

R-73-0307

DATE: 2-21-73

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

May 23, 1973

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held May 21, 1973. In addition to the reasons outline in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-73-03-08

   a. Intended Use: Three family residential

   b. Plan Commission Recommendation: DO NOT PASS

      This ordinance received a DO NOT PASS recommendation for the following reasons:

      1) This petitioned change would not be compatible with the existing land uses in the area.

      2) A change to "R3" would constitute spot zoning as all of the immediate neighborhood is zoned "R2".

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Richard Wanush (pr)

Richard S. Wanush
Senior Planner

RSW:pr
Att.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 13, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-03-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 14, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

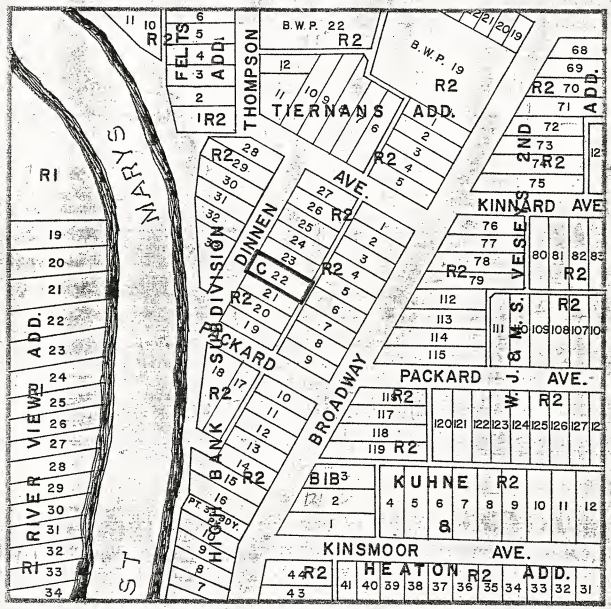
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 21, 1973.

Certified and signed this
23rd day of May, 1973.

Gretchen Wiegel

Gretchen Wiegel
Secretary

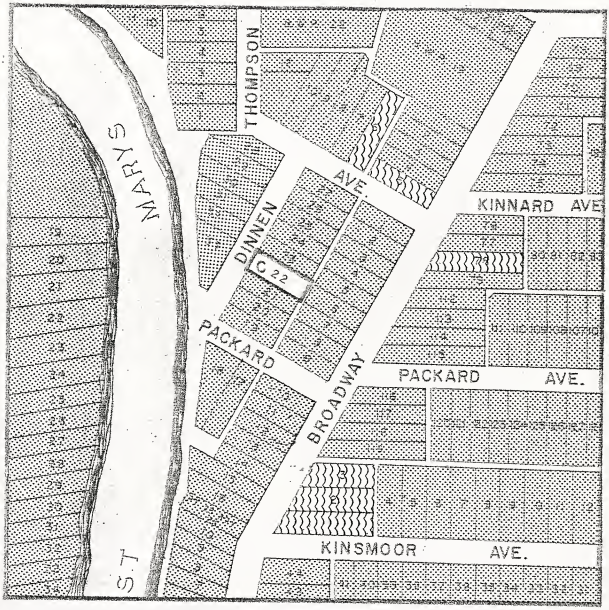


C CHANGE FROM R2 TO R3

Lot number 22, Hight Banks of Dinnens Subdivision

Z-73-03-08

DATE: 2-13-73

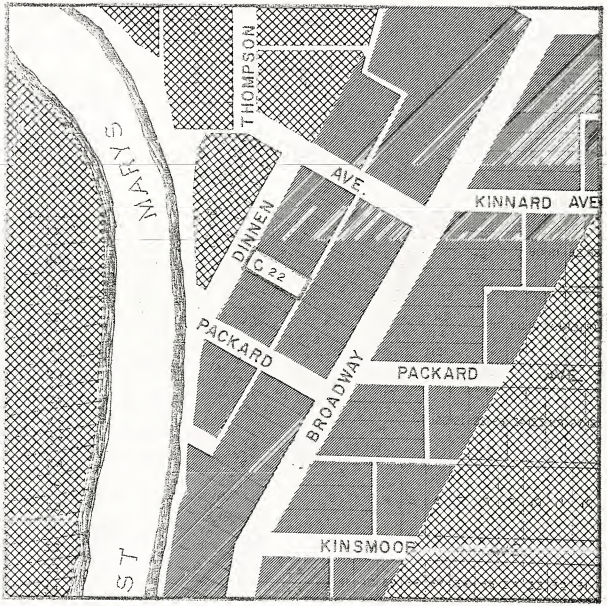


EXISTING LAND USE MAP

Commercial —))))))))))))

Single Family Residential — ::::::::::::

Z-73-0308



PROPOSED LAND USE MAP

HIGH DENSITY RESIDENTIAL —

COMMERCIAL —

N

2-13-03-08

RATIFICATION AND ELECTION OF APPOINTMENT

Date 6-12-73

Common Council Regular Session
Council Chambers

The Common Council of the City of Fort Wayne, Indiana, held on the above date during the Regular Session of the Common Council election for the purpose of filling the appointment pursuant to the law, for the BOARD OF TRUSTEES, REDEVELOPMENT COMMISSION of the City of Fort Wayne, Indiana.

Said vacancy and appointment by the Common Council of the City of Fort Wayne, Indiana, is to be named by this honorable body and to fill the time beginning July 1, 1973, for a four year tenure and to expire on June 31, 1977. Therefore the President of the Common Council called for nominations and he has received the nomination of Jerry O'Dowd from Councilman John Nuckols, and seconded by Councilman Lolenco, and moved that the nomination be closed.

Therefore the election was called, and Jerry O'Dowd was duly elected as the ratified appointment of the Common Council.

CITY CLERK

Winfield C. Moore Jr.
PRESIDING OFFICER

ATTEST: (SEAL)

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 12th dya of June, 1973; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively;and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 12th day of June, 1973.

Charles W. Westerman
City Clerk

DATE SEAL MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK